

REMARKS

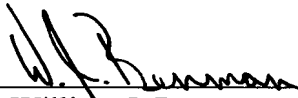
Claims 1 – 36 are currently pending. In the above-identified Office Action, the Examiner rejected Claims 24 – 36 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Claims 1, 2, 22, 24 and 36 were rejected under 35 U.S.C. § 102(e) as being anticipated by Raese ('853). Claims 1 – 25, 27 – 31 and 33 – 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Marshall (U.S. Pub. 2002/0122373 A1) in view of Guzik *et al.* (U.S. Pub. 2002/0114101 A1) hereinafter 'Guzik'. Claims 26 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Marshall in view of Guzik as applied to Claims 1 – 15, 27 – 31 and 33 – 36 and further in view of Jin ('582).

By this Amendment, Applicant has addressed the rejections under 35 U.S.C. § 112. Support for the change from 'control-code' to – servo information – in the Claims may be found in paragraphs [0027 – 0030] by way of example. Claims 26 and 32 have been canceled.

In addition, Applicant submits herewith an Affidavit Under Rule 37 CFR 1.131 to establish a date of invention that predates the effective dates of Raese and Marshall.

Accordingly, the present application is deemed to be in proper form for allowance. Reconsideration, allowance and passage to issue are therefore respectfully requested.

Respectfully submitted,
Donald J. Fasen

By 
William J. Benman
Attorney for Applicant
Registration No. 29,014

Benman, Brown & Williams
2049 Century Park East
Suite 2740
Los Angeles, CA 90067

(310) 553-2400
(310) 553-2675